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| 10/733,540      | 12/11/2003  | Markus Stimpfl       | 03-714              | 7735             |

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EXAMINER

RODRIGUEZ, RUTH C

ART UNIT PAPER NUMBER

3677

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/733,540

Applicant(s)

STIMPFL ET AL.

Examiner

Ruth C. Rodriguez

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-12 is/are rejected.
- 7) ☐ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the locking device or latching device arranged in the vicinity of the end position wherein the bolt is held by the locking device must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Specification***

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The

Art Unit: 3677

abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it exceeds 150 words.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, 8 and 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by McClanahan et al. (US 5,628,578).

A connection between a steering mechanism (being connected to 62) and a steering column (16) of a motor vehicle steering system has a steering coupling (10 and piece not shown that connects to the steering mechanism) that connects these two components (C. 1, L. 6-9). The steering coupling is attached by one end to one of the two components and the other end bears a coupling piece (10) in an articulated manner. The coupling piece forms a coupling partner with the other component and has two clamping jaws (56,58). The two clamping jaws engage around a section of the other component after the coupling piece has been pivoted about the axis of articulation

Art Unit: 3677

(Figs. 1-8). A clamping screw (18) is inserted into two openings formed in the clamping jaws and aligned with each other (Figs. 1 and 5). The screw is screwed into a thread in such a manner that the section which is engaged around is secured by the clamping jaws (Figs. 1 and 5). At least one bolt (68) is arranged on the coupling piece or on its connecting partner to which the coupling piece is connected with clamping action (Figs. 3-5 and 8). The bolt engages in a connecting position a groove (42, 42', 42'') of the other connecting partner (12, 16). The groove has an end section that runs perpendicularly in the vertical direction with respect to the axial extent of the connecting partner bearing the groove in which the bolt has its end position (Figs. 1-8). The groove is open in the vertical direction at the end remote from the end position (Figs. 1-8).

The groove is in the shape of a circular arc, the associated, imaginary circle being at least approximately concentric with the imaginary circle of pivoting movement of the coupling piece (Figs. 1-8).

The groove widens in a funnel-shaped manner following the end section toward the end remote from the end position (Fig. 6).

The coupling piece has a stop (grooves on 12) that bears, in the connecting position, against the upper side of the steering spindle journal and the groove is open upward (Figs. 1-8).

The coupling piece has a stop (grooves on 12) that bears, in the connecting position, against the lower side of the steering spindle journal and the groove is open downward (Figs. 1-8) (it can be used in any orientation).

At least one of the connecting partners has two parallel grooves arranged on opposites sides of the connecting partner (Figs. 1-8).

The connecting partner that is engaged around has on its lower side a transverse channel (76) having a semicircular cross section.

The section of the connecting partner that is engaged around has a screw passage hole (76) running transversely.

The coupling piece has a U-shape in cross section (Figs. 1-8). The limbs of the U-shape form the clamping jaws and the base of the U-shape bear against the facing circumferential region of the section of the connecting partner that is engaged around (Figs. 1-8). The sides of the section of the connecting partner that is engaged around and that lie opposite the clamping jaws are flattened (Figs. 1-8).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over McClanahan in view of Debisschop (US 6,135,667).

McClanahan discloses a connection having all the features mentioned above for the rejection of claim 1. McClanahan fails to disclose that the thread is formed in a

Art Unit: 3677

weld-on nut that is fastened to the outside of one clamping jaw of the clamping piece. However, Debisschop teaches a connection device between two components (10,30) where one of the components is a clamping piece (30) having two clamping jaws. The clamping jaws are compressed by the use of a bolt (40). A weld-on nut is fastened to the outside of one clamping jaw of the clamping piece in order to provide a thread that will be engaged by the bolt. Providing the weld-on nut in the clamping jaw simplifies the connection of the two components because the weld-on nut prevents rotation of the nut during tightening of the clamping piece (C. 2, L. 57-59). Therefore, it would have been obvious to one having ordinary skill in the art at the time of Applicant's invention to provide a weld-on nut fastened to the outside of one clamping jaw of the clamping piece in order to provide the thread as taught by Debisschop in the connection disclosed by McClanahan. Doing so, simplifies the connection of the two components because the weld-on nut prevents rotation of the nut during tightening of the clamping piece.

***Allowable Subject Matter***

8. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McClanahan et al. (US 5,628,578), Oka et al. (US 6,565,446 B2) Crudele (US 6,739,790 B1) are cited to show state of the art with respect to connections between a steering mechanism and a steering column having some of the features being claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase the patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as PTO's mailroom processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP § 502.01. In general, most responses and/or



Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP § 512). The following is an example of the format the certification might take:


(Typed or printed name of person signing this certificate)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP § 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response has been transmitted by facsimile will cause further unnecessary delays in the processing of your application, duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Art Unit: 3677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ruth C. Rodriguez  
Patent Examiner  
Art Unit 3677

rcr  
July 11, 2005